



2-26-3

RCE/2572/11  
3/19/03

# REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
Provides for continued examination of a utility or plant  
Application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/597,780  
Filing Date: June 20, 2002  
First Named Inventor: Callegari  
Group Art Unit: 2871  
Examiner Name: Nguyen  
Attorney Docket Number: YOR9-2000-0010

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.  
**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. **XXX** Previously submitted

i. **XXXX** Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on December 23, 2002 (any unentered amendment(s) referred to above will be entered).

ii.            Consider the arguments in the Appeal Brief or Reply Brief previously filed on           

iii.            Other           

b.            Enclosed

i.            Amendment/Reply

ii.            Affidavit(s)/Declaration(s)

iii.            Information Disclosure Statement (IDS)

iv.            Other           

## 2. Miscellaneous

a.            Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of            months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b.            Other           

## 3. Fees The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. **XXX** The Director is hereby authorized to credit any overpayments to Deposit Account No. **01-0467**.

i. **XXX** RCE fee required under 37 C.F.R. § 1.17(e)

ii. **XXX** Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17) for two months (\$410.00).

iii.            Other           

b. **XXX** Check in the amount of **\$1160.00** (\$750.00 and \$410.00) is enclosed

c.            Payment by credit card (Form PTO-2038 enclosed)

February 25, 2003  
Date of Signature

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### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. EV079549715US, service under 37 CFR § 1.10 and is addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231 on February 25, 2003.

Allison Berkman  
(Typed name of person mailing paper)

(Signature of person mailing paper)

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02 FC:1252

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